

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
UNITED STATES OF AMERICA	:	PRELIMINARY ORDER
	:	OF FORFEITURE AS TO
-v.-	:	<u>SUBSTITUTE ASSETS</u>
	:	
IBRAHIM MIZRAHI,	:	S1 18 Cr. 889 (JMF)
a/k/a “Albert Mizrahi,”	:	
a/k/a “Abraham Mizrahi,”	:	
	:	
Defendant.	:	
-----	X	

WHEREAS, on January 15, 2019, IBRAHIM MIZRAHI a/k/a “Albert Mizrahi,” a/k/a “Abraham Mizrahi,” (the “Defendant”), was charged in a two-count Superseding Indictment, S1 18 Cr. 889 (JMF) (the “Indictment”), with wire fraud, in violation of Title 18, United States Code, Section 1343 (Count One); and money laundering, in violation of Title 18, United States Code, Section 1956(a) (1) (B) (i) (Count Two);

WHEREAS, on or about September 3, 2019, the Defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981 (a) (1) (C) and Title 28, United States Code, Section 2461(c): (i) a sum of money equal to \$998,000 in United States currency, representing proceeds traceable to the commission of the offense charged in Count One of the Indictment and (ii) all right, title, and interest of the Defendant in one blue Bentley Continental GT, VIN Number SCBFH7ZA1GC052269 (the “Specific Property”);

WHEREAS, on or about January 8, 2020, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment (Docket Entry No. 61) (the “Order of Forfeiture”), imposing against a money judgment against the Defendant in the amount of

\$998,000 in United States currency, representing proceeds traceable to the commission of the offense charged in Count One of the Indictment that the Defendant personally obtained (the “Money Judgment”), and forfeiting all right, title, and interest of the Defendant in the Specific Property, which constitutes proceeds traceable to the offense charged in Count One of the Indictment;

WHEREAS, to date, the entire balance of the Money Judgment entered against the Defendant remains unpaid;

WHEREAS, as a result of acts and omissions of the Defendant, the Government, despite the exercise of due diligence, has not been able to locate, obtain or collect assets traceable to the proceeds of the offense charged in Count One of the Indictment;

WHEREAS, the Government has identified the following specific asset in which the Defendant has an ownership interest: approximately \$100.73 formerly on deposit in Account Number 48307055191, held in the name of Ideal Clothing Industry Inc., at Bank of America, N.A (the “Substitute Asset”);

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All of the Defendant’s right, title and interest in the Substitute Asset is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853(n).
2. The Substitute Asset shall be applied towards partial satisfaction of the Money Judgment entered against the Defendant upon the entry of a Final Order of Forfeiture with respect to the Substitute Asset.
3. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the

Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States shall publish for at least thirty (30) consecutive days on the official government internet forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture as to Substitute Assets, and provide notice that any person, other than the Defendant in this case, claiming an interest in the Substitute Asset must file a petition within sixty (60) days from the first day of publication of the notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

4. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Substitute Asset, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title and interest in the Substitute Asset and any additional facts supporting the petitioner's claim and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

5. The United States may also, to the extent practicable, provide direct written notice to any person other than the Defendant, known to have an alleged interest in the Substitute Asset, as a substitute for published notice as to those persons so notified.

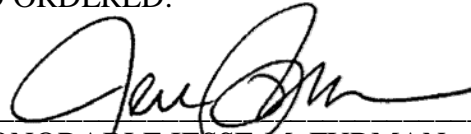
6. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Substitute Asset pursuant to Title 21, United States Code, Section 853(n) and Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure, in which all third-party interests will be addressed.

7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture as to Substitute Assets, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward four certified copies of this Preliminary Order of Forfeiture as to Substitute Assets to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York
July 24, 2020

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Jesse M. Furman', is written over a horizontal line.

HONORABLE JESSE M. FURMAN
UNITED STATES DISTRICT JUDGE

The Clerk of Court is directed to terminate ECF No. 78.